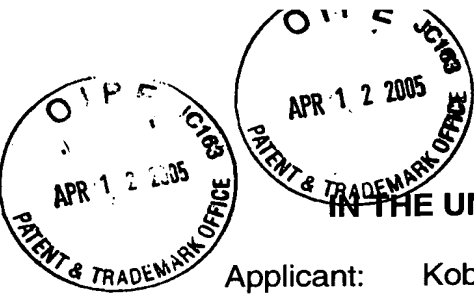


B/2857 ✓
EFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kobilecki, et al.
Appl. No.: 10/018,034
Filed: July 23, 2002
Docket No.: 1795
Conf. No.: 6965
Title: **INVESTIGATING DIFFERENT PHYSICAL AND/OR CHEMICAL FORMS OF MATERIALS**

Art Unit: 2857
Examiner: Elias Desta
Action: **TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE**
Date: April 7, 2005

TO: Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The documents identified on the attached form PTO/SB/08 have come to the attention of the undersigned in connection with the subject application. Unless otherwise indicated, copies of these documents are attached, and it is respectfully requested that they be made of record in this proceeding. The identification of these documents is for the purpose of meeting Applicant's duty of disclosure under 37 C.F.R. §1.56 and is not intended to be an admission that these documents constitute prior art as to the invention disclosed and claimed in the subject application.

Pursuant to the provisions of 37 CFR §1.97, this Information Disclosure Statement (IDS) should be considered by the Office because:

- ☒ In accordance with 37 CFR §1.97(b), this IDS is being filed by the Applicant:
 - ☐ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
 - ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- ☒ Before the mailing of a first Office action on the merits; or

- ~ ~ ~
- ☐ Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.
 - ☐ In accordance with 37 CFR §1.97(c), this IDS is being filed by the Applicant after the period specified in §1.97(b) before the mailing date of:
 - ☐ A final action under § 1.113;
 - ☐ A notice of allowance under § 1.311; or
 - ☐ An action that otherwise closes prosecution in the application; and
 - ☐ Is accompanied by:
 - ☐ The statement specified in § 1.97(e); or
 - ☐ The fee set forth in § 1.17(p).
 - ☒ In accordance with 37 CFR §1.97(d), this IDS is being filed by the Applicant after the period specified in §1.97(c) but before payment of the issue fee and is accompanied by:
 - ☒ The statement specified in § 1.97(e); and
 - ☒ The fee set forth in § 1.17(p).
 - ☒ Applicant hereby makes the following statement(s) in accordance with § 1.97(e):
 - ☐ Each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
 - ☒ No item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in § 1.56(c) more than three months prior to the filing of this IDS.

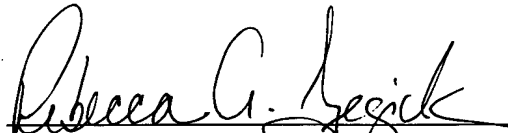
Please initial the attached form PTO/SB/08 where indicated and return a copy of the initialed document to the undersigned as an indication that the listed reference has been considered and made of record. The Commissioner is hereby authorized to charge the payment of any required fee(s) or credit any overpayment to Deposit Account No. 13-1940.

The Examiner is courteously solicited to enter an expeditious allowance of this application. If any questions remain to be addressed, it is respectfully

requested that the undersigned attorney for the Applicants be contacted at the number listed below.

Respectfully submitted,

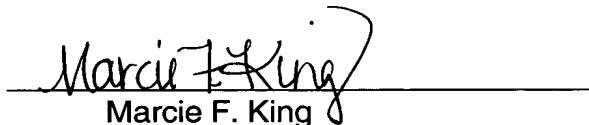
TIMOTHY J. MARTIN, P.C.



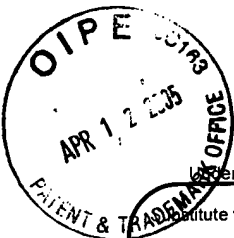
Timothy J. Martin, #28,640
Michael R. Henson, #39,222
Rebecca A. Gegick, #51,724
9250 W. 5th Avenue, Suite 200
Lakewood, Colorado 80226
(303) 232-3388

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing **TRANSMITTAL OF INFORMATION DISCLOSURE (3 pages), FORM PTO/SB/08 (1 page) AND CHECK NO. 18797 IN THE AMOUNT OF \$180.00** is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 8th day of April, 2005.



Marcie F. King



PTO/SB/08B (08-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/018,034
				Filing Date	July 23, 2002
				First Named Inventor	Kobylecki, et al.
				Art Unit	2857
				Examiner Name	Elias Desta
				Attorney Docket Number	1795
Sheet	1	of	1		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		TODORI, KENJI, et al., "Determination of Organic Crystal Orientation in Glass Capillaries by Microscopic Raman Spectroscopy", Jpn. J. Appl. Phys. Vol. 32 (1993) pp. 5570-5575.	
		KARELIN, A.I., et al., "Vibrational Spectra of Perchloric Acid --II. Modifications and Phase Transitions of Solid HClO ₄ and DClO ₄ ", Spectrochimica Acta, Vol. 32A, pp. 851-857, Pergamon Press, 1976.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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